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JAC IFW

Docket No.: 31014/41515

(PATENT)

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Dated: September 29, 2006 Signature

Goulet et al.

10678167

Application No.: 09/990,320-

Confirmation No.: 2528

Filed: November 23, 2001

Art Unit: 3738

For: CONNECTIVE TISSUE SUBSTITUTES,

METHOD OF PREPARATION AND USES

THEREOF

Examiner: Christopher D. Prone

# RENEWED PETITION TO ACCEPT UNINTENTIONALLY DELAYED PRIORITY CLAIM UNDER 35 U.S.C. §119(e)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

This paper is a renewed petition for acceptance of an unintentionally delayed claim under 35 U.S.C. §119(e) for the priority benefit of a prior-filed provisional patent application. The prior petition was dismissed in a decision mailed March 29, 2006 because the parent application, USSN 09/990,320, to the instant application did not properly claim priority to provisional Application No. 60/252,588. The priority claim in the parent application USSN 09/990,320 has since been corrected as shown in attached corrected filing receipt. The applicants therefore believe that all requirements for correcting the priority claim in the instant application are met and request the renewed petition be granted.

In accordance with 37 C.F.R. §1.78(a)(5) and (a)(6), this petition is a companied by the reference required by 35 U.S.C. §119(e), and the required statement.

With regard to §1.78(6)(iii), the Applicants' undersigned representative states that the entire delay between the date the claim was due, March 24, 2002, under paragraph. (a) (5)(ii), and this date upon which the claim is filed, was unintentionally observed to be a claim is filed.

10678167

Application No.: 09/990,320

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With respect to §1.78(6)(i), the reference is provided herewith in the form of an amendment to the specification. The amendment adds a cross-reference to related prior-filed Provisional Application Serial Number 60/252,588, which was filed on November 24, 2000. Regarding §1.78(6)(ii) a check in the amount of \$1370, as required by §1.17(t), was enclosed with the first-filed petition.

The Applicants respectfully request that this petition be granted and that the priority claim under 35 U.S.C. §119(e) be accepted.

The Director is hereby authorized to charge and deficiency in the fee filed or credit any overpayment to Deposit Account No. 13-2855.

Dated: September 29, 2006

Respectfully submitted,

Joseph A. Williams, Jr.

Registration No.: 38,659

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## United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Addison COMMISSIONER FOR PATENTS TO But 150

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
09/990.320	11/23/2001	3738	1726	216483US6	17	44	2

04743 MARSHALL, GERSTEIN & BORUN LLP 233 S. WACKER DRIVE, SUITE 6300 SEARS TOWER CHICAGO, IL 60606 CONFIRMATION NO. 2528
CORRECTED FILING RECEIPT
\*OC000000020324249\*
\*OC000000020324249\*

Date Mailed: 09/06/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

#### Applicant(s)

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#### **Assignment For Published Patent Application**

SWABEY OGILVY RENAULT, Quebec, CANADA

Power of Attorney: The patent practitioners associated with Customer Number 22850.

#### Domestic Priority data as claimed by applicant

This appln-claims benefit of 60/252,588 11/24/2000

#### Foreign Applications

If Required, Foreign Filing License Granted: 02/05/2002

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US09/990,320

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

Title

Connective tissue substitutes, method of preparation and uses thereof

**Preliminary Class** 

623

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